

1F 2815

PATENT

I hereby certify that, on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 14, 2004

Date

Carolyn L. Ross

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/652,994

Confirmation No. : 4014

Applicant : Vishnu K. Agarwal

Filed : August 31, 2000

Attorney Docket No.: 501082.02

Art Unit : 2815

Customer No. : 27,076

Examiner : Jesse A. Fenty

Title : DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A
CONDUCTIVE LAYER IN SAID DEVICE

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Marcus Simon, represent that I am the attorney of record for the above-identified application. Micron Technology, Inc. ("Micron"), a corporation of the State of Delaware having a place of business at 8000 South Federal Way, Boise, Idaho 83716-9632, is the assignee and owner of the entire 100 percent interest in the instant application. Documentary evidence of chain of title from the original owner to Micron has been filed with and recorded by the United States Patent Office at Reel 9611, Frame 0494.

Micron hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. patent that issues from U.S. Patent Application No. 10/805,118, filed on March 19, 2004, entitled DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A CONDUCTIVE LAYER IN SAID DEVICE, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period as legal title thereto and to the U.S. patent issuing from Application No. 10/805,118 is commonly owned. This agreement is to run with any patent

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granted on the above-identified application and is to be binding upon the grantees, his successors and assigns.

No disclaimer is made for any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Application No. 10/805,118 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a re-examination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned represents that he is an attorney of record for Micron and has the authority to execute this document on behalf of Micron. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Respectfully submitted,

DORSEY & WHITNEY LLP



Marcus Simon
Registration No. 50,258

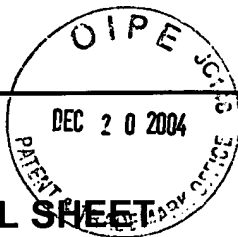
Enclosures:

Postcard
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Effective on 12/08/04

FEE TRANSMITTAL SHEET (FY 2005)

**Complete if Known**

Application No.	09/652,994
Filing Date	August 31, 2000
First Inventor	Vishnu K. Agarwal
Group Art Unit	2815
Examiner Name	Jesse A. Fenty
Atty. Docket Number	501082.02

☐ Applicant claims small entity status (see 37 C.F.R. 1.27)**METHOD OF PAYMENT (Check One)**

☒ The Director is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No. **50-1266**; Deposit Account Name: **DORSEY & WHITNEY LLP**.

☒ Check Enclosed.**Extra Claim Fees**

Current Claims	Prior	Extra	Fee	Fee Paid
Total 5	- 21	= 0	x \$ 50	= \$ 0
Ind. 1	- 3	= 0	x \$ 200	= \$ 0
Multiple Dependent Claims				x \$ = \$
Subtotal (Extra Claims)				\$ 0

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) **Fee \$400**

§ 1.53(e) to accord a filing date.
 § 1.57(a) to accord a filing date.
 § 1.182 for decision on a question not provided for.
 § 1.183 to suspend the rules.
 § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
 § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) **Fee \$200**

§ 1.12 for access to an assignment record.
 § 1.14 for access to an application.
 § 1.47 for filing by other than all inventors or person not the inventor.
 § 1.59 for expungement of information.
 § 1.103(a) to suspend action in an application.
 § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
 § 1.295 for review of refusal to publish a statutory invention registration.
 § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
 § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
 § 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
 § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
 § 5.12 for expedited handling of foreign filing license.
 § 5.15 for changing the scope of a license.
 § 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) **Fee \$130**

§ 1.19(g) to request documents in a form other than provided in this part.
 § 1.84 for accepting color drawings or photographs.
 § 1.91 for entry of a model or exhibit.
 § 1.102(d) to make an application special.
 § 1.138(c) to expressly abandon an application to avoid publication.
 § 1.313 to withdraw an application from issue.
 § 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)**3. ADDITIONAL FEES**

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	\$
130	65	Surcharge - Late nonprovisional filing fee or oath	\$
180	180	Submission of IDS	\$
40	40	Recording each patent assignment per property (times number of properties)	\$
120	60	Extension for reply within first month	\$
450	225	Extension for reply within second month	\$
1,020	510	Extension for reply within third month	\$
1,590	795	Extension for reply within fourth month	\$
2,160	1,080	Extension for reply within fifth month	\$
790	395	Submission After Final 1.129	\$
500	250	Notice of Appeal	\$
500	250	Filing a brief in support of an appeal	\$
1,000	500	Request for oral hearing	\$
130	65	Terminal Disclaimer Fee	\$130
800	400	Design Issue Fee	\$
790	395	Request for Continued Examination (RCE)	\$
130		Request for voluntary publication or republication	\$
500	250	Petition to Revive - unavoidable	\$
1,500	750	Petition to Revive - unintentional	\$
200		Filing for patent term adjustment	\$
400		Request for reinstatement of term reduced	\$
1,120		Extension of term of patent	\$
OTHER FEE (specify)			\$

Subtotal (Additional Fees) \$130**Total Amount of Payment: \$130**

Submitted by:

CUSTOMER NUMBER
26,067

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Reg. No.: 50,258

Signature:

Date: December 14, 2004